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09/089,098

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/089,098 06/02/98 BERTRAM

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EXAMINER

HUYNH, C

ART UNIT

PAPER NUMBER

2776

6

DATE MAILED:

09/12/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

TD

Office Action Summary

Application No.

09/089,098

Applicant(s)

BERTRAM, RANDAL LEE

Examiner

Cong-Lac Huynh

Art Unit

2776

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2000.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) _____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: amendment filed on 6/26/00 to the application filed on 06/02/98.
2. Claims 1-31 are pending in the case. Claims 1, 7, 15, 21, 29 are independent claims.
3. The objection of the disclosure as being inconsistent (page 16, lines 12-13) with figure 8 has been withdrawn in view of the amendment.
4. The rejections of claims 5-6, 19 under 35 U.S.C., second paragraph, as being indefinite have been withdrawn in view of the amendment.
5. The rejections of claims 3-4 under 35 U.S.C., second paragraph, as being indefinite have been withdrawn in view of the amendment of the specification (page 14, line 4, replace "vowels" with "lower case vowels").

Drawings

6. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 7, 11-13 remain rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention.

Evidence that claims 7, 11-13 fail(s) to correspond in scope with that which applicant(s) regard as the invention can be found in Paper No. 1 filed 6/2/98.

Regarding claim 7, as explained by Applicants, the first character type is not defined since Applicants *does not elect to define the first character type. It is an open type that user can define.*

It is not reasonable since the specification states that in a preferred embodiment, there are three types of character types: lower case vowels, lower case letter, and space (page 14, lines 3-4)

As defined in the claims, the second character type is lower case character. It is not clear that it is lower case vowels or lower case letters since the specification (as amended) mentions two types of lower case characters (page 14, lines 4).

Also, as defined, the third character type is space. It is not consistent with the amended specification (page 14, lines 3-4) since the specification states that in the preferred embodiment, space is type one.

Regarding claims 11-13, it is not clear what the first character type is, even though it is mentioned in claim 11 (line 4).

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In addition, it is not consistent that claims 12 and 13 disclose that the second character type is lower case character (*vowels or non-vowels?*), and the third character type is space. The amended specification, on the other hand, states that lower case vowels is type two, lower case letters is type three, and space is type one (page 14, lines 3-4).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-31 remain rejected under 35 U.S.C. 103(a) as being unpatentable over figure 4, the prior art submitted by applicant.

Regarding independent claim 1, figure 4 discloses:

--obtaining at least one entry from the at least one column (entries System, 10, 22, 24.. of col 31)

--Abbreviating a width of the at least one entry (CPU Utilization in col 36 is abbreviated into CPU U in col 76)

--determining if there is another entry containing text data (another entry containing text data in col 31)

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--displaying the at least one column having the at least one abbreviated entry (the column 31 is displayed as column 71 on figure 4)

Figure 4 does not explicitly disclose the repeating steps (b) and (c) until all of the at least one entry of the at least one column are abbreviated. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have recognized that the repeating steps are carried out since all of the column headings in figure 2 are abbreviated as seen in figure 4.

Regarding claim 2, which is dependent on claim 1, as disclosed in claim 1, the at least one entry is the column heading.

Regarding claims 3 and 4, figure 4 discloses the removing of at least a vowel from the column heading 34 in figure 2 (character e is removed).

Regarding claim 5, figure 4 discloses the removing of at least a lower case from the column heading 31 in figure 2 (character m is removed).

Regarding claim 6, figure 4 discloses the removing of at least a space from the column heading 32 in figure 2 (there is no space in the column heading).

Regarding independent claim 7, figure 4 discloses the limitations (b) and (c) as in claims 1, 3-4, 5-6 rejected above, except the limitation (a) for determining a character type.

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It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have included the determining of a character type to the prior art in figure 4 for removing the characters as desired.

Claim 8 is similar to claim 2, and therefore is rejected under the same rationale.

Regarding claims 9 and 10, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have included the repeating steps to the prior art as disclosed in claim 7 since it was well-known to use the loop to repeat the steps defined.

Regarding claim 11, the column heading 31 "System" in figure 2 includes the consonant "m" which is removed since the width of "System" is wider than 5 as seen the result in figure 4, column 71.

Regarding claim 12, the column heading in column 36 includes lower case characters which are removed since the width of the column is wider than 5 as seen the result in figure 4, column 76.

Regarding claim 13, the column heading in the column 32 includes a space which is removed since the width of the column heading is wider than 5 as seen the result in figure 4, column 72.

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Regarding claim 14, the heading in column 31, which is wider than 5 and does not contain a space, which is the third character type, is truncated as seen on figure 4, column 71.

Claims 15-20 are for the computer-readable medium for the method of claims 1-6, and therefore are rejected under the same rationale.

Claims 21-28 are for the computer-readable medium for the method of claims 7-14, and therefore are rejected under the same rationale.

Claims 29-31 are the system for performing the method of claims 7-14, and therefore are rejected under the same rationale.

Response to Arguments

11. Applicant's arguments filed 6/26/00 have been fully considered but they are not persuasive.

Applicants argue that the invention is about the abbreviation of column headings and the figure prior art is about truncation of column headings. Applicants also show the difference between abbreviation and truncation.

Examiner disagrees since truncation is one type of abbreviation. Both are to shorten a word or a phrase.

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The prior art still has cases that teach the claims limitations. For example, in claim 1 the prior art teaches "abbreviating a width of the at least one entry" (CPU Utilization in column 36 is abbreviated into CPU U in column 76, figures 2 and 4). Or the prior art teaches "removing at least one lower case character if the at least one column heading includes the at least one lower case character" in claim 5 (lower case character m is removed from "System" in column 31 into "Syste" in column 71, figures 2 and 4).

Applicants also argue that the truncation results in information loss whereas the abbreviation of the invention conveys maximum information with minimum horizontal spacing.

Examiner disagrees since CPU U in column 76, in a point of view, still conveys the meaning of CPU Utilization. The meaning depends on how one interprets it. On the other hand, CPUUt in column 240 may mean something as CPU Update or CPU Unit. It does not merely mean CPU Utilization.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is (703)-305-0432. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached on (703) 305-4713. The fax number to this Art Unit is (703) 308-5403.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

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(703) 308-5403 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA. Sixth Floor (Receptionist).

Clh

8/30/00


STEPHEN S. HONG
PRIMARY EXAMINER